

IN THE DRAWINGS

Applicants note that the Examiner objected to the Drawings filed on January 14, 2002. The Examiner asserts that proper legends were missing. Applicants respectfully disagree.

The Examiner alleges that, in Figures 1A-4, description of some of the items is not included. For example, in Figure 1A, description of the reference character 2 is not included in the Drawings.

Pursuant to MPEP rules, Applicants respectfully submit that the objected Drawings do not necessarily require description for the reference characters included in the drawings. However, at many instances including on page 4 at line 30 and page 5, line 3 and line 8 in the Applicants' Specification, a description of the reference character 2 is included. For at least the reasons set forth above, reconsideration of objections to the Drawings is respectfully requested of the Examiner.

The Examiner further alleges that Drawings are objected to under 37 CFR 1.83(a) as failing to show every feature of the invention specified in the pending claims 1-23. By way of this amendment, the Applicants cancel claim 10 without prejudice. In this manner, the Applicants believe that the Examiner's objections to the Drawings are traversed and a full and complete response has been made to the Office Action. The Examiner is respectfully requested to reconsider the objections to the Drawings in view of the reasons set forth above.

REMARKS

Pursuant to the present amendment, claim 10 has been cancelled without prejudice. Claims 1, 3-9, 11-23 have been amended to address some informalities, and have not been amended in view of any prior art. By way of these amendments, no new subject-matter has been introduced. Claims 1-9, 11-23 are pending in the present application. Reconsideration of the rejections is respectfully requested of the Examiner.

In the Office Action mailed May 20, 2005, claim 1 was rejected under 35 USC §112, second paragraph, as being indefinite. Claim 1 has been amended to address some informalities. However, claim 1 is not amended in view of any prior art. The Applicant's believe that the Examiner's rejection under section 112 of claim 1 is overcome by this amendment.

Claims 5, 13, 18, and 23 were rejected under 35 USC § 112, first paragraph, as failing to comply with the enablement requirement. Applicants respectfully disagree with the Examiner's rejections. Claim 5, among other things, includes "the MSC causes said party to be notified that the call has been dropped and that said party is being connected to the voice mail system associated with said dropped communication of said mobile device user." Support for this claim feature can be found throughout the Applicants' Specification, including on page 9, lines 9-17. Accordingly, Applicants' respectfully submit that for at least the reasons set forth above, the rejected claims 5, 13, 18 and 23 are allowable. The Examiner is respectfully requested to reconsider the §112 rejections of claims 5, 13, 18 and 23.

In the Office Action, claims 1-3, 5, 7, 9, 1, 13, 15, 16, 18, 20, 21, and 23 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 5,995,830 to Amin, et al.

(hereinafter "*Amin*"). Applicants' respectfully traverse the Examiner's §102 rejections. Anticipating reference by definition must disclose every limitation of the rejected claim in the same relationship to one another as set forth in the claim. Claim 1, among other things, calls for an apparatus that enables a telephony device of a party in communication with a mobile device to leave a voice mail for a mobile device user in the event that the communication with the mobile device is dropped during a call between said party and the mobile device user. Based on the above-indicated legal standard, it is respectfully submitted that the *Amin* reference fails to anticipate claim 1. Thus, claim 1 and claims dependent therefrom are in condition for allowance which is respectfully requested of the Examiner.

Amin is directed to reconnecting a mobile telephone to another telephone for processing a dropped call. The reconnection attempt includes steps similar to those when a new call to the mobile telephone 116 comes into the MSC 110. See *Amin*, col. 5, lines 60-col.6, line 2. If it is determined in step 208 that reconnection to the mobile telephone 116 is not appropriate, then in step 218 the MSC 110 routes the call from telephone 102 to a voice mail node 108. See *Amin*, col. 5, lines 46-49. If it is determined in step 208 that reconnection to the mobile telephone 116 is appropriate, then in step 210 the MSC 110 attempts to re-establish a wireless communication with mobile telephone 116. In an alternate embodiment, instead of automatically re-establishing a wireless communication channel with mobile telephone 116, an option to the user of the telephone 102 is provided for selectively reconnecting to mobile telephone 116. The user of the telephone 102 may choose not to reconnect to mobile telephone 116. In that case, the call is to be routed to the voice mail mode 108. See *Amin*, col. 6, lines 13-19.

Amin fails to teach one or more of the claimed features. For example, *Amin* at least does not teach if the voice message processing circuitry determines that the communication with the mobile device user has been dropped during the call, the voice message processing circuitry automatically causes the telephone device of the party to be connected to a voice mail system associated with the mobile device user. While *Amin* teaches that a call may be routed from telephone 102 to a voice mail node 108 based on the reconnection status or an option selected by the user, such routing of the call is not automatically performed if the communication with the mobile device has been dropped during a call between the mobile device user and the party.

In step 208, the MSC 110 determines whether a reconnection attempt is appropriate. That is, the MSC110 does not automatically cause the telephone 102 to be connected to a voice mail system associated with the dropped communication of the mobile device user. Moreover, *Amin* describes use of a status message and a reconnection indication which is not a voice mail message for the mobile device user to which a connection has been dropped from the call.

The Examiner asserts that in column 2, line 1-31 *Amin* teaches determining the call is dropped and the user is connected to the voice mail node. *Amin* routes the still connected device to the voice mail mode 108 based on reconnection and not in response to determining if the communication with the mobile device has been dropped during a call between the mobile device user and the party. Accordingly, *Amin* is completely silent as to the voice message processing circuitry automatically causing the telephonic device of the party to be connected to a voice mail system associated with the dropped communication of the mobile device user so that the party can leave a voice mail message for the mobile device user to which a connection has

been dropped from the call. Therefore, Applicants respectfully submit that independent claim 1 and its dependent claims are allowable.

Independent claim 7 and its dependent claim are also allowable over *Amin* because this reference at least does not teach that the voice message processing circuitry automatically causes a telephony device of a party to leave a voice mail message in response to the determining that communication with the mobile device user is dropped. Independent claim 15 and its dependent claims are also allowable over *Amin* because *Amin* at least does not teach the features set forth above with respect to claim 1. Independent claim 20 and its dependent claims are also allowable for at least one or more of the reasons presented above.

Claims 4, 12, 17, and 22 were rejected under 35 USC §103(a) as being unpatentable over *Amin*. Applicants respectfully submit that the rejected claims are not rendered obvious to one of an ordinary skill in the art in a *prima facie* manner. To establish a *prima facie* case of obviousness to one of an ordinary skill in the art, the prior art reference (or references when combined) must teach or suggest all the claimed limitations. As set forth below, Applicants respectfully submit that the §103 rejections fail to establish a *prima facie* case of obviousness.

As indicated on page 6 of the Office Action, the Examiner concedes that *Amin* fails to teach that the party communicates with the dropped mobile device user over the wireless network via a mobile telephone device. To provide a teaching for the features absent from *Amin*, the Examiner takes Official Notice. The Examiner states that a plurality of mobile telephone users communicate to each other within the same wireless network via the same MSC is old and well known to one skilled in the art. Notwithstanding the Examiner's obviousness rejection based on the Official Notice taken, claims 4, 12, 17, and 22 are allowable for at least

one or more of the reasons presented above. With respect to the Examiner's obviousness rejection, the Applicants note that the Examiner is respectfully requested to cite a specific teaching or suggestion in the prior art reference for each instance where an Official Notice is taken. Absent a specific teaching, a particular hint or suggestion, or motivation, in the cited art of record itself, the Examiner fails to establish a *prima facie* case of obviousness rejection. For at least the aforementioned reasons, Applicants respectfully request the Examiner to allow claims 4, 12, 17, and 22, as amended.

Claims 6, 14, and 19 were rejected under 35 USC §103(a) over *Amin* and in view of U.S. Patent No. 6,418,307 (*Amin-8307*). The Examiner acknowledges that *Amin* fails to teach a signal to be transmitted to cell equipment and notifying that a voice mail message has been left for the mobile device user. To provide a teaching for the features absent from *Amin*, the Examiner relies upon *Amin-8307*. Rather than the voice message processing circuitry causing a signal to be transmitted to the cell equipment, which transmits a notification, in *Amin-8307*, the base station forwards the voice mail notification received from the messaging center to the subscriber. Thus, Applicant's respectfully submit that *Amin-8307* fails to remedy the aforementioned fundamental deficiency of *Amin*, as set forth in claim 6.

As amended, among other things, in claim 6, when the communication associated with the call is dropped, the voice message processing circuitry causes a signal to be transmitted to the cell equipment. The cell equipment transmits a notification intended for the mobile device user, informing the mobile device user that a party has left a message for the mobile device user to which the connection has been dropped from the call.

Amin-8307 is directed to generating a voice mail notification by the voice mail system. See col. 1, lines 38-43 in *Amin-8307*. The message center receives the voice mail notification and forwards the notification to MSC, which in turn forwards the voice mail notification to a base station. The information is then forwarded to a cell phone operated by a subscriber. That is, the base station forwards the voice mail notification received from the messaging center to the subscriber. Therefore, *Amin-8307*, teaches that the voice mail system generates the voice mail notification which is forwarded to a subscriber of a cellular phone.

In contrast to the Examiner's assertions, *Amin-8307* fails to teach that the voice message processing circuitry causes a signal to be transmitted to the cell equipment which transmits the notification. *Amin-8307* in col. 1, lines 53-61 discloses that the home location register 15 determines the location of the subscriber who is to receive the voice mail notification. Nowhere does *Amin-8307* disclose or suggest that the voice message processing circuitry causes a signal to be transmitted to the cell equipment and that the cell equipment transmits a notification regarding the message being left for the mobile device user to which the connection has been dropped from the call. *Amin-8307* does not teach that when the communication associated with the call is dropped, and after the party leaves a voice message for the mobile device user, the voice message processing circuitry causes the signal to be transmitted.

For at least the reasons set forth above, Applicant's respectfully submit that claims 6, 14, and 19 are not rendered obvious to one of ordinary skill in the art in view of *Amin* and *Amin-8307*, either alone or in combination. The *Amin* and *Amin-8307* also fail to provide any suggestion or motivation for modifying the prior art to arrive at Applicants claimed invention. Specifically, *Amin* and *Amin-8307* references do not teach or suggest all the claimed features.

Even if modified, the *Amin* reference, absent a specific suggestion or motivation in *Amin-8307*, fails to render the rejected Claims 6, 14, and 19 obvious. For at least this reason alone, the Applicant's respectfully request the Examiner to withdraw §103 rejection.


Claim 8 is rejected under 35 USC §103(a) over *Amin*. Applicant's respectfully traverse the §103 rejection. The Examiner notes that the *Amin* reference fails to teach a second MSC and a second wireless network. To teach this feature, the Examiner relies on Official Notice. However, a citation for a particular teaching or suggestion is again requested. For at least the reasons set forth above with respect to claim 1 rejections, claim 8 is allowable over *Amin*. Therefore, Applicants respectfully submit that the present invention is not obvious over the *Amin* and *Amin-8307* references, considered either alone or in combination. Applicant requests that the Examiner's rejections of claims under 35 U.S.C. 103(a) be withdrawn.

For the aforementioned reasons, it is respectfully submitted that all claims pending in the present application are in condition for allowance. The Examiner is invited to contact the undersigned at (713) 934-4089 with any questions, comments or suggestions relating to the referenced patent application.

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Respectfully submitted,

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